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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,958	08/23/2004	Alexander Shipp	117-514	1440

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NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
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EXAMINER

LEWIS, ALICIA M

ART UNIT	PAPER NUMBER
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2164

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/500,958	Applicant(s) SHIPP, ALEXANDER	
	Examiner Alicia M. Lewis	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____



SAM RIMELL
PRIMARY EXAMINER

DETAILED ACTION

This office action is responsive to communication filed November 27, 2006.

Claims 1, 2, 4-6 and 8-10 are currently amended. Claims 1-12 remain pending in this application.

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on November 27, 2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

2. Applicant is advised that should claims 1-4 be found allowable, claims 9-12 will be objected to under 37 CFR 1.75 as being substantial duplicates thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-6, 8-10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Roberts et al. (US Patent Application Publication 2004/0088570 A1) ('Roberts').

With respect to claims 1, 5 and 9, Roberts teaches:

a) link analyzer operative to identify hyperlinks in the content of electronic documents (Figure 1, paragraphs 27 and 30);

b) processing means for causing a content scanner to scan objects referenced by links identified by the link analyzer (paragraphs 31 and 32) and to determine the acceptability of the objects according to predefined rules (paragraphs 13 and 14), the processing means being operative, responsive to a hyperlink being to an object external to the document which object is determined by the content scanner to be acceptable, to retrieve the external object and store the retrieved external object on a trusted server (paragraph 33 lines 1-2, paragraph 34), the processing means being operative, responsive to a hyperlink being unacceptable, to perform remedial action (paragraph 33); and

c) hyperlink replacing means for modifying electronic documents by replacing the hyperlink to an external object identified by the link analyzer by a hyperlink to the copy of the external object stored on the trusted server (paragraph 34 lines 10-18).

With respect to claims 2 and 6, Roberts teaches wherein the link analyzer and the processing means are operative to recursively process hyperlinks identified in such external objects (paragraph 36 lines 14-17).

With respect to claims 4, 8 and 10, Roberts teaches wherein the remedial action comprises one or more of:

flagging or modifying the document to indicate that the content scanner has found the object to be unacceptable (paragraph 33);

modifying the document by replacing the hyperlink by a non-functional hyperlink (paragraph 33); and

quarantining the document and sending the intended recipient an alert advising the recipient that this has been done (paragraph 33).

With respect to claim 12, Roberts teaches wherein if any linked-to object is determined by the content scanner to be unacceptable the document is flagged or modified to indicate that fact (paragraph 33).

5. Claims 3, 7 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. (US Patent Application Publication 2004/0088570 A1) ('Roberts') in view of Lambert et al. (US Patent 6,629,138 B1) ('Lambert').

With respect to claims 3, 7 and 11, Roberts teaches claims 2, 6 and 10 and flagging documents as unacceptable (paragraph 16).

Roberts does not teach in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached.

Lambert teaches a method and apparatus for storing and delivering documents on the internet (see abstract), in which he teaches in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached (column 10 lines 6-10).

According to Lambert's invention, the number of levels to search can be used as inclusion/exclusion criteria. Therefore, the maximum number of levels before stopping (maximum depth of recursion) can be used as a reason to exclude a page (or document); this exclusion is similar to flagging a document unacceptable.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Roberts by the teaching of Lambert because in which only a maximum depth of recursion is permitted and the document is flagged as unacceptable if that limit is reached would enable a method to manage passive and active data throughout a network, and offer an improved method and apparatus for storing and delivering information on the Internet (Lambert, column 2 lines 23-26).

Response to Arguments

6. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
February 16, 2007


SAM RIMELL
PRIMARY EXAMINER